

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the foregoing amendments and the following remarks.

Claim 11 has been canceled without prejudice or disclaimer of the subject matter contained therein. Claims 1-10 remain pending in the present application, of which claims 1, 4, and 9 are independent.

In the Office Action, claim 11 is rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter.

In the Office Action, claims 1-11 are rejected under 35 U.S.C. §112, first paragraph, for not complying with the written description requirement and for containing new matter.

In the Office Action, claims 1-11 are rejected under 35 U.S.C. §102(e) as being anticipated by Johnson et al. (20050251409).

The above rejections are respectfully traversed for at least the following reasons.

Claim Rejection Under 35 U.S.C. §101

Claim 11 is rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. This rejection is moot in view of the cancellation of claim 1 by the foregoing amendments.

Accordingly, withdrawal of the rejection under 35 U.S.C. §101 is respectfully requested. Furthermore, entry of this amendment is respectfully requested because it further simplifies or reduces issues in an appeal.

Claim Rejection Under 35 U.S.C. §112, First Paragraph

Claims 1-11 are rejected under 35 U.S.C. § 112, first paragraph, because of the phrase “without the common registration area” in claims 1, 4, 9, and 11. The Final Office Action asserts that such a phrase constitute new matter and does not meet the written description requirement.

This rejection is moot in view of the removal of the phrase “without the common registration area” from claims 1, 4, and 9 and the cancellation of claim 1 by the foregoing amendments.

Accordingly, withdrawal of the rejection under 35 U.S.C. §112, first paragraph, is respectfully requested. Furthermore, entry of this amendment is respectfully requested because it further simplifies or reduces issues in an appeal.

Claim Rejection Under 35 U.S.C. §102

Claims 1-11 are rejected under 35 U.S.C. §102(e) as being anticipated by Johnson et al. (20050251409).

It is respectfully submitted that the present application is filed as a U.S. national-stage application under 35 U.S.C. §371, claiming priority to an earlier filed International PCT Application No. PCT/JP2003/008768, which was filed on July 10,

2003 (see first paragraph on first page of the Specification). Therefore, the present application shall be entitled to the benefit of the earlier-filed PCT application and associated filing date of July 10, 2003.

Because the priority date of present application is the filing date of July 10, 2003 of the PCT Application, such a priority date is clearly earlier than the filing date of May 5, 2004 of Johnson's provisional application No. 60/567,780. Thus, it is respectfully submitted that Johnson et al. is not qualified as prior art against the claimed invention.

Accordingly, withdrawal of the rejection of claims 1-10 under 35 U.S.C. 102(e) and their allowance respectfully requested.

Conclusion

In light of the foregoing, withdrawal of the rejections of record and allowance of this application are earnestly solicited.

Should the Examiner believe that a telephone conference with the undersigned would assist in resolving any issues pertaining to the allowability of the above-identified application, please contact the undersigned at the telephone number listed below. Please grant any required extensions of time and charge any fees due in connection with this request to deposit account no. 50-4610.

PATENT

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Respectfully submitted,

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